

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

EMERSON YAZZIE and HELEN YAZZIE
as Guardians and Next Friends of
ERNEST YAZZIE, and his minor children, M.J.Y.,
S.Y., and B.J.Y.,

Plaintiffs,

vs.

Civ. No. 12-479 KG/GBW

THE BOARD OF COUNTY COMMISSIONERS OF
SAN JUAN COUNTY, THE CITY OF BLOOMFIELD,
CORRECTIONAL HEALTHCARE COMPANIES, INC., d/b/a
CHC Companies, Inc., and/or d/b/a Correctional Healthcare
Management, Inc., MICHAEL KOVACS, THOMAS C. HAVEL,
ANDY DARBY, NANCY BAUER, MAHRANDA GALLEGOS,
BRYAN BANYACYA, NATHANAEL BANKS,
DURANDA HARRISON, SHAUN ROBERTS, MARCELLA
COOLIDGE, BRANDON CROCKETT, BOBBY SIMPSON, and
JOHN/JANE DOES 1-4, in their Individual Capacities,

Defendants.

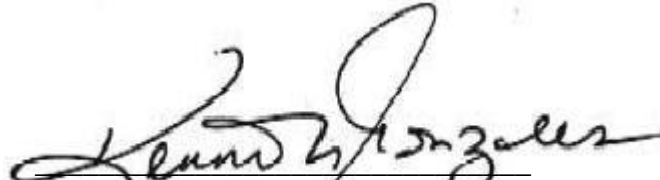
PARTIAL SUMMARY JUDGMENT
IN FAVOR OF DEFENDANT ANDY DARBY

Having granted, in part, Bloomfield Defendants' Motion for Summary Judgment on Counts I, II, V, and VI of Plaintiffs' First Amended Complaint and Memorandum in Support (Doc. 49) by a Memorandum Opinion and Order entered contemporaneously with this Partial Summary Judgment in Favor of Defendant Andy Darby,

IT IS ORDERED that

1. summary judgment is entered in favor of Defendant Andy Darby on the Fourth Amendment claim brought against him in Count I of Plaintiffs' Second Amended Complaint for Civil Rights Violations, Negligence, Breach of Contract, Loss of Consortium, Declaratory Relief and Other Tortious Conduct (Doc. 72); and

2. that Fourth Amendment claim is dismissed with prejudice.



UNITED STATES DISTRICT JUDGE